

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIANOTICE OF DOCUMENT DISCREPANCIES**FILED**

2008 MAY -5 PM 2:01

TO: U. S. DISTRICT JUDGE / U. S. MAGISTRATE JUDGE RECEIVED DATE: 4/28/2008
 FROM: R. Mullin, Deputy Clerk KM DEPUTY
 BY Petitioner

CASE NO.: 08cv0325 L (POR) DOCUMENT FILED BY:

CASE TITLE: Burton v. Director

DOCUMENT ENTITLED: Notice and Request for (Motion) Ruling...

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	Document not filed electronically. Notice of Noncompliance already issued.
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<input checked="" type="checkbox"/> X	<u>OTHER: Case closed.</u>

Date forwarded: 4/29/2008ORDER OF THE JUDGE / MAGISTRATE JUDGE

IT IS HEREBY ORDERED: *4/18/08 Order instructed Clerk to re-open the case by filing a First Amended Petition no later than 5/16/08.*

The document is to be filed nunc pro tunc to date received.

The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? Yes. Court Copy retained by chambers

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: LARRY ALAN BURNSU.S. DISTRICT JUDGE*By John Lee Clerk*Dated: 5-5-08

cc: All Parties

P.O. BOX 3246 CSAT/FPC LITTLE
CORPORAN, CA. 93212
IN PROPER.

REJECTED

1
2 IN THE UNITED STATES DISTRICT COURT
3 SOUTHERN CALIFORNIA DISTRICT (SAN DIEGO)

4
5 IN re, ERIC WILTON BURTON
6 ON FEDERAL HABEAS CORPUS,

CASE NO. 3:08-CV-00325-LAB-POR

7 PETITIONER DATE - 4-24-08

8 VS.

"NOTICE AND REQUEST FOR(MOTION)
RULING" PURSUANT TO 28 U.S.C § 2254,

9 DIRECTOR, CALIFORNIA DEPARTMENT
10 OF CORRECTIONS AND REHABILITATION,
11 RESPONDENT, REPRESENTED BY
12 ATTORNEY GENERAL, STATE OF
13 CALIFORNIA, OFFICE OF THE
14 ATTORNEY GENERAL, 110 WEST
15 A STREET, SUITE 1100 SAN DIEGO,
16 CA. 92101-5266

REQUEST FOR EVIDENTIARY
HEARING, REQUEST FOR
COURT TO GIVE NOTICE
TO ALL PARTIES INVOLVED
OF THE INSTANT MATTER
BASED ON MEMORANDUM AND
POINTS OF AUTHORITY

17 NOTICE IS HEREBY GIVEN, TO THE ABOVE MENTIONED
18 HONORABLE DISTRICT COURT OF THE UNITED STATES, THE ATTORNEY
19 GENERAL, AND THE DIRECTOR OF THE CALIFORNIA DEPARTMENT OF
20 CORRECTIONS AND REHABILITATION. THE PETITIONER A PROPER
21 INDIGENT UNCONSTITUTIONALLY INCARCERATED PRISONER, NAMELY,
22 ERIC WILTON BURTON #FOZ720, MOVES THIS HONORABLE COURT
23 AS SOON AS THE MATTER MAY BE HEARD TO RULE ON HIS
24 TIMELY AND PROPERLY FILED PETITION FOR WRIT OF FEDERAL
25 HABEAS CORPUS, INCLUDING HIS FILED MOTION TO PROCEED
26 IN FORMA PAUPERIS, AS WELL AS HIS MOTION FOR THE
27 APPOINTMENT FOR THE ASSISTANCE OF COUNSEL AS NEEDED
28 FOR APPREHENSION OF DISCOVERY AND OTHER PERTAINENT FUNCTIONS